

Minutes of the Judiciary and Law Enforcement Committee – December 5, 2003

Chair Stamsta called the meeting to order at 8:32 a.m. Supervisor Swan led the committee in the Pledge of Allegiance.

Present: Chair Duane Stamsta, Kathleen Cummings, Keith Harenda, Mareth Kipp, Joseph LaPorte, William Mitchell, David Swan. Kipp arrived at 8:34 a.m. Harenda arrived at 8:35 a.m. LaPorte left the meeting at 9:55 a.m.

Also Present: Director of Mediation Center Cathy Warmington, Emergency Management Coordinator Jim Malueg, Legislative Policy Advisor Dave Krahn, Senior Financial Analyst Mike Baniel, Deputy Clerk Supervisor in the Civil Court Division Susie Sniadach, Program and Projects Analyst Diane Kelsner, Supervisor Dick Manke, Legislative Policy Advisor Mark Mader, Communications Center Manager Richard Tuma, Office Services Coordinator Windy Jicha

Kipp arrived at 8:34 a.m.

Approve Minutes of November 25, 2003.

MOTION: LaPorte moved, Mitchell second, to approve the minutes of November 25, 2003 as amended.

Motion carried: 6-0.

Correspondence

- Article from Wisconsin Taxpayers Alliance on the cost of smaller boards

Supervisor Harenda arrived at 8:35 a.m.

Executive Committee Report:

Stamsta advised that the following issues would be discussed at the next Executive Committee meeting on December 8.

- UW Extension goals and objectives for the 2004 budget
- Appointments

Future Agenda Items

- Update on the Waukesha County HazMat Team

Public Comment

Kipp said she is a member of a board that has used the services of the Mediation Center and found the services to be invaluable. Their group learned how to listen to what people were actually saying versus what they want to hear. Kipp met with Tony Zielinski to discuss community service work programs. Milwaukee County is interested in this program.

Swan alerted the committee of a presentation on Monday, December 8 at WCTC by Margaret Farrow. The presentation will be a candidates' forum.

Overview of the Mediation Center as it Applies to the Court System

Warmington gave a PowerPoint presentation on the Mediation Center of Waukesha County and distributed copies of the presentation to the committee members. The Mediation Center is a program of the Wisconsin Community Services, Inc. (WCS). The mission of the Center is to promote mediation as an effective voluntary process to conflict resolution. Warmington explained mediation as written out in the presentation. The Mediation Center is funded from the United Way in Waukesha County. The clients are also charged a fee for service based on a sliding scale. The cost is generally \$20-\$30 per claim. The Center has extensions in both Milwaukee and West Allis in addition to the Waukesha location. The

Center has two youth programs, the “Kick Conflict” Program and Youth Accountability Program. “Kick Conflict” is a partnership between the Mediation Center of Waukesha County and the Medina Center, a bilingual and bicultural community-based gym. This program is a free youth development program that establishes a safe place for physical activity and training centered around kickboxing and conflict resolution skills. The goal of the Youth Accountability Panel is to assist juvenile offenders in recognizing the human impact of their behavior and to encompass the principles of Restorative Justice, which promote victim impact, offender accountability and community restoration. The Center also offers training and professional development programs. These programs include a speakers bureau, school-based peer mediation training, large and small group facilitation, conflict resolution and communication skills training, in-service for volunteer mediators, community workshops and professional workshops. Warmington would like to find funding for a retail accountability panel at the Center.

Swan asked if they coordinate with the local high school teen courts. Warmington said it would be great if they could coordinate this effort but they do not.

Warmington said there are 40 trained volunteers at the Center. They have backgrounds in physical therapy, education, counseling, medicine, business, philosophy, mediation, aerospace, law, religion, human resources, engineering, psychotherapy, the NLRB, the NASD and HUD. The Center has an advisory committee made up of people from all walks of life.

Warmington explained the types of disputes that can be resolved with their help. These disputes include small claims including property damage, accidents, vandalism, small debts and harassment; community problems including noise, pets, relationships, parking and neighborhood issues; domestic including family, friends and roommates; juvenile disputes between youth, youth and adults, schools, merchants and the law; consumer/merchant/business; landlord/tenant issues including security deposits, repairs and damages; work place issues including employer/employee and among workers; and victim/offender conferencing with adults and juveniles. Civil cases are referred to the program by judges or lawyers.

Warmington said the beauty of mediation is that the parties involved come up with their own solutions to the problems. Some of the solutions have been quite creative. The advantage of mediation is that the mediators are neutral. They come in not knowing either party or the situation. They go to extremes to make sure all mediations are neutral including making sure clients have the same pencils and pads of paper and are given the exact treatment.

Warmington said the Center does facilitations through a process developed by Bob Chadwick. They use mediation skills to find concerns, worst outcomes and best outcomes and develop behaviors, action strategies and policies. To date in 2003, the Center has served 1,100 people in Waukesha, Milwaukee and other surrounding areas. There are close to 600 cases are open. Sixty percent of cases are mediated with an 86% success rate. Warmington said it would be great to get more large claim cases that would allow them to bill more which in turn brings in additional funding for the center.

Stamsta asked Baniel to look into the costs saving if mediation was used more with the possibility of cutting out one commissioner.

Consider Proposed Ordinance: 158-O-112 Accept FY – 2003 State Homeland Security Part II Grant Program Funds and Modify the Waukesha County Emergency Management’s 2004 Budget to Appropriate Grant Expenditures and Revenues

Malueg said this ordinance authorizes the Emergency Management office to accept a 2003 Federal Homeland Security Grant, to be disbursed by the Wisconsin Office of Justice Assistance in the amount of \$677,803 in 2004. This is part two of the grant funds to be received. The funds will be used to purchase equipment and supplies for a variety of county and municipal agencies in the following categories: Personal Protective Equipment \$26,902, Interoperable Communications \$286,681, Detection Equipment

\$36,961, Decontamination Equipment \$786, Physical Security Enhancement \$245,928, Terrorism Incident Prevention Equipment \$32,775, Logistical Support Equipment \$7,000, Medical Supplies and Pharmaceuticals \$39,670 and Reference Materials \$1,100. These funds will modify the Emergency Management Office 2004 budget by increasing intergovernmental revenues by \$677,803, operating expenditure appropriations by \$359,429 and fixed asset appropriations by \$318,374. Malueg said they prioritized the needs in Waukesha County in order to determine how to disperse funding.

The committee discussed at length what parties would receive the grant money and what would be purchased with the funds. Kipp said ordinance attachments show that funds are going to the Communication Center. She asked, when the budget was developed for the Communications Center, weren't these items budgeted for originally? Malueg said he found out that some of the items were included in the capital project. According to the grant they are unable to fund items that are included in the scope of a capital project. The grant money allocated in the ordinance to the Communications Center can no longer be spent on certain items because they were included in the scope of the capital project. Malueg said the attachments included with the ordinance that state how funding will be dispersed is incorrect and needs to be refigured. By approving this ordinance, the County Board is giving him spending authority so the county can begin making subgrantee awards to municipalities. Time is of the essence because the grant money has to be committed by January 15, 2003. As they begin to distribute the funds, they will make the necessary adjustments in the funding.

Kipp asked if Malueg would come back to the committee with an updated worksheet showing how the grant funding will be allocated from the county? Malueg said they have to reallocate funding for the card access and video surveillance at the Communications Center. At this time, he doesn't know the specifics of how the money will be allocated but he and the Communication Center Manager will work on figuring this out. Kipp said she wants to see the updated information before the next board meeting.

Baniel asked if the committee could support this now and then the changes could be made later. Malueg said he needs to get the process moving in order to get all purchase orders to the state by the end of January. The 45-day turn around starts when the state accepts the award.

LaPorte left the meeting at 9:55 a.m.

Swan asked if the committee could review this again before one of the January board meetings? He doesn't want to lose the grant funds but believes the committee needs to know exactly how the grant money will be spent before voting on the ordinance. Malueg said there will be an ordinance coming in the first part of 2004 for grant allocation.

Stamsta said the county has had this grant in-house for at least two months. We should be better prepared for bringing this to committee. Stamsta has questions about funding going to specific fire departments when the county is going to a countywide HazMat Team. Why are we sending funds to these departments when they are disbanding? Maleug said the committee needs to understand there are some hazmat situations that fire departments need to be able to handle on their own without calling the County Hazmat Team. The grant money will provide items to fire departments that will limit the number of calls to the Hazmat Team.

Kipp said she doesn't want this to be a situation where we find a way to spend money just because we have money. The ordinance attachments seem to be a wish list.

Malueg said this money is for public safety agencies in the entire county. Krahn said since September 11th, Congress wants to put money into public safety fast. Staff has worked with all of the municipalities in order to find out what communities needs. If we do not use the funds, they will be given to someone else.

Stamsta said it would be helpful to see the actual list of where the funding will go.

Tuma said at the Communications Center, it was determined that the original capital plan fencing design wasn't very secure so they added fencing to make the parking lot security more intense and secure. Some of the grant funds will pay for mobile terminals that the dispatchers are able to "talk" directly from the CAD system to the MDTs. This will also be used as a back up to other systems if the phone lines should get cut. Tuma said these items are additions to the original proposals for the capital project and the funds will enhance our systems.

MOTION: Mitchell moved, Cummings second, to approve 158-O-112 Accept FY– 2003 State Homeland Security Part II Grant Program Funds and Modify the Waukesha County Emergency Management's 2004 Budget to Appropriate Grant Expenditures and Revenues. **Motion carried:** 5-1 (Kipp voted no).

Status Update on Criminal Justice Collaborating Council (CJCC)

The December 2003 update on the CJCC was distributed to the committee and Kelsner and Krahn provided a brief update. Kelsner said she prepares a suite of reports to present to the council quarterly. She distributed a copy of some of the reports she prepares and discussed it. Kelsner came up with the type of circuit court caseload statistics needed with help of staff and the committees. She said this is a very complex system which gives an overview of the courts. Kelsner went through each page of the report handout and explained how the charts were developed as outlined in the written part found at the bottom of each page.

Krahn said at the last CJCC Executive Committee meeting, there was discussion of how to move forward to appropriately spend the \$50,000 included in the CJCC budget for 2004. The committee is going over several ideas on how to spend the money. The County Board needs to understand that the CJCC focuses on issues other than keeping people out of the jail.

Legislative Update

Krahn distributed the most recent action in the state legislature with bills dealing with law enforcement and the courts. He briefly discussed the following bills listed on the handout: AB 651, AB 658, AB 661, AB 666, SJR 52 and SB 51.

Krahn said next week there is a Governor's Summit on Wednesday, December 10 at UW – Milwaukee. Jim Dwyer has been invited to sit on a panel of 20 at the summit. The summit will have representation from counties, cities, unions and business. The summit is an open meeting starting at 10:00 a.m. There will be a simultaneous Web cast of the meeting on the Internet.

Motion to Adjourn:

MOTION: Swan moved, Mitchell second, to adjourn the meeting at 11:03 a.m. **Motion carried:** 6-0.

Respectfully Submitted,

Kathleen M. Cummings
Secretary